

**GEM Citizens' User Group
Meeting Minutes
Thursday, October 6, 2005**

GEM Citizens' User Group members present: Jack Buford, Bob Campbell, Cliff Lamb, Rick Wolfarth, and Bill Tellefson.

Also in attendance was Neil Bell of Summit Outdoor Advertising Company and Scott Ross, Michael Clark and John Kraynak, GEM staff.

Meeting was brought to order by David McDevitt, Development Services Director, at 1:30pm. After reviewing the topics on the agenda, the first topic was presented for discussion.

Sign Code Ordinance

Michael Clark, Development Services Supervisor, presented the proposed changes to the sign code ordinance to the group, as related to off-site signs. The first two proposed amendments are related to the location of off-site advertising signs and the final proposed amendment related to modifying language in the Code.

The first proposed amendment proposes to allow the C-2 designation in the sign code. According to Mr. Clark, through several amendments to the Code in the past, C-1 and C-2 were both designated as Neighborhood Commercial in error, and there was no designation for General Commercial. This proposed amendment will designate C-2 as General Commercial and as an allowable zoning for off-site advertising signs. Mr. Buford asked if staff supported this amendment, and after Mr. Clark's confirmation, he suggested the group recommend approval to the Board.

Slides were shown representing the areas that off-site signs could be located within the Lake Protection zoning district if the proposed amendments were implemented. Staff recommended amending the Land Development Code to add Lake Protection as a zoning district allowing off-site advertising signs, but to limit them to areas within one hundred (100) feet of a roadway classified as a Principle Arterial, and then be further limited to those properties within fifteen hundred (1500) feet of an intersection of a principle arterial and a roadway classified as a minor collector or above. It was clarified that the 100 feet is from the centerline of the road and the 1500 feet applies only on the same side of the road. The slides showed that these regulations would limit the placement of off-site signs to a series of nodes along North Monroe Street, with the majority of the new signs being allowed in the corridor between I-10 and Fred George Road (within 1500 feet of North Monroe at Shady Oaks Drive, Talpeco Road, Fred George Road/Crowder Road, Faulk Drive/Perkins Road, and Capital Circle). This amendment would only allow approximately three more signs along North Monroe Street north of I-10.

It was noted that additional off-site signs wouldn't add additional trips, run-off, impervious or any other associated development issues. However, Mr. McDevitt reminded that Lake Lafayette has a view shed protection, meaning the protection extends beyond water quality to the view shed, but that Lake Jackson doesn't have the same view shed protection regulations.

It was clarified that this amendment would not apply to a canopy road because there are specific canopy road regulations already in the Code that prohibit off-site signs.

It was unanimously agreed to recommend to the Board approval of the addition of Lake Protection zoning district as a district to allow off-site advertising signs.

Discussion was held regarding allowing revolving (multi-faced) off-site advertising signs. Mr. Bell clarified that State requires a minimum of six seconds between each turn with a two second change time. It was stated that revolving signs allow three signs at one site, therefore promoting economic development while preventing excess signage at different sites. Everyone agreed to recommend to the Board approval of the use of revolving, or multi-faced, off-site advertising signs.

The final proposed amendment to the sign code, prohibiting "stacked" off-site advertising signs, was discussed. The current Code states that an off-site advertising sign shall have a minimum size of 380 square feet. However, this has been misinterpreted when applied to stacked signs as 380 square feet per sign, but should be 380 total square feet. This was further clarified as 380 square feet per side, per structure. Staff recommended amending the Code to clearly state that the 380 square feet limitation is "per structure", and everyone agreed.

Mr. McDevitt stated that the proposed sign code amendments will go before the Planning Commission for a Consistency Review on November 1, 2005 at a Public Hearing, and will possibly go before the Board of County Commissioners in November.

Releasing Certificates of Occupancy in Public Subdivisions with Approved Performance Bonds

John Kraynak, Environmental Compliance Director, asked for input on releasing Certificates of Occupancy (CO) in public subdivisions with approved performance bonds. He stated there have been many instances of issuing temporary COs where the majority of the infrastructure has been in place, but people are left with temporary COs from six months up to a year. Therefore, this draft policy was created to help residents obtain permanent COs and at the same time have the rest of the subdivision bonded and come up with a process to get the as-builts operating permit completed. It would be unlikely that the County would have to pull one of those bonds, but this policy would enable the County to have a regulation in place to cover this issue if it arises.

Mr. Campbell stated that he had experience with a subdivision where the home was completed, but the City refused to turn on the water. He stated that the County wouldn't want to issue a CO before the utilities are turned on. Mr. Lamb stated that condition #7 in the draft policy which states "the utilities have been constructed, completed, and accepted by the utility provider" ensures against this happening.

Mr. Kraynak stated that the major concern behind this policy is situations where a residential subdivision was built-out and all stormwater facilities are substantially complete, but the developer doesn't want to put the final course on the roads or sidewalks because of all the construction traffic. The Environmental Compliance Division then must handle the lot to lot drainage through the single family permitting process, which result in the issuance of temporary COs. Residents may move in with the temporary CO, but then may have to move out in 5-6 months if they sell or relocate and they still have the temporary CO.

It was clarified that plats can be recorded as soon as the environmental permit is issued as long as the performance bond is in place, even if all infrastructure is not complete.

Once it's determined the certain level that's delineated in this policy of what is considered substantially complete, the developer will give the preliminary as-builts and a construction operating permit, then at the end of the process with Public Works, the Growth and Environmental Management

Department will get the final operating permit and the developer can submit final as-builts. This will release the permanent COs.

There is only one Code provision that needs to be changed that states only temporary COs can be issued if a performance bond is used. This language needs to be changed to provide the enabling language to implement this amendment. It was clarified that this policy applies to public subdivision only.

It was clarified that Public Works relies on the engineer to give the estimate on the balance of the work that needs to be bonded, and the performance bond is based upon 110% of this figure.

Mr. Lamb suggested that the sidewalks need to be graded before COs are released. If not, the sidewalks may not be on a level with the driveways, or landscaping may need to be uprooted when the sidewalks are eventually installed. It was suggested that this issue could be resolved at the time of driveway permitting.

Everyone agreed to recommend to the Board approval of the policy to implement releasing COs in public subdivisions with approved performance bonds.

Meeting adjourned at 2:45pm.